



State Senator

March 3, 2004

VALDE GARCIA

Serving the 22nd District

Shiawassee-Livingston-Southern Ingham counties

Legislative Update

The following bills were introduced this week. Should you wish to learn more about the proposed legislation, please visit www.michiganlegislature.org and enter the bill number where indicated. The web-site will provide you with the bill's language as introduced and an analysis describing how the bill will affect area industry, the economy and consumers.

Senator Garcia is eager to learn how you feel about proposed legislation. He welcomes your responses via e-mail at senvgarcia@senate.michigan.gov.

BREAKING NEWS FROM SENATOR GARCIA'S OFFICE

A Legislative Bulletin for Residents of the 22nd District

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| SB 1027 | MEAP TEST RETAKE (Switalski)
Limits number of times a student can retake the high school MEAP test to once in School Aid Act. |
| SB 1028 | MEAP TEST RETAKE (Switalski)
Limits number of times a student can retake the high school MEAP test to once in school code. |
| SB 1029 | SCHOOL BARGAINING SESSIONS (Kuipers)
Prohibits closed collective bargaining sessions for school districts in Open Meetings Act. |
| SB 1030 | CHILD SEX OFFENDERS STATUTE (Jacobs)
Eliminates statute of limitations on child sex offenders in a position of authority over the victim during time of sexual contact. |
| SB 1031 | EMPLOYEE RECORD FILES (Birkholz)
Clarifies reproduction regulations of county employee and officer records and files. |
| SB 1032 | HIGHER EDUCATION INVESTMENTS (Garcia)
Exempts investment information provided by investment fiduciary or portfolio company to state institutions of higher education from disclosure. |
| SB 1033 | 2005 AGRICULTURE BUDGET (Barcia)
Executive budget for the Department of Agriculture for fiscal year 2005. |
| SB 1034 | 2005 CAPITAL OUTLAY BUDGET (Prusi)
Executive budget for capital outlay for fiscal year 2005. Full Text |
| SB 1035 | 2005 COMM. COLLEGES BUDGET (Switalski)
Executive budget for community and junior colleges for fiscal year 2005. |
| SB 1036 | 2005 COMMUNITY HEALTH BUDGET (Cherry)
Executive budget for the Department of Community Health for fiscal year 2005. |
| SB 1037 | 2005 CORRECTIONS BUDGET (Switalski)
Executive budget for the Department of Corrections for fiscal year 2005. |

SB 1038	2005 EDUCATION BUDGET (Switalski) Executive budget for the Department of Education for fiscal year 2005.
SB 1039	2005 D.E.Q. BUDGET (Barcia) Executive budget for the Department of Environmental Quality for fiscal year 2005.
SB 1040	2005 F.I.A. BUDGET (Scott) Executive budget for the Family Independence Agency for fiscal year 2005.
SB 1041	2005 GENERAL GOVERNMENT BUDGET (Switalski) Executive budget for general government for fiscal year 2005.
SB 1042	2005 HIGHER EDUCATION BUDGET (Cherry) Executive budget for higher education for fiscal year 2005.
SB 1043	2005 H.A.L. BUDGET (Clarke) Executive budget for the Department of History, Arts and Libraries for fiscal year 2005.
SB 1044	2005 JUDICIARY BUDGET (Switalski) Executive budget for judiciary for fiscal year 2005.
SB 1045	2005 LABOR/ECONOMIC GROWTH BUDGET (Prusi) Executive budget for the Department of Labor and Economic Growth for fiscal year 2005.
SB 1046	2005 MILITARY AND VETERANS BUDGET (Clarke) Executive budget for the Department of Military and Veterans Affairs for fiscal year 2005.
SB 1047	2005 NATURAL RESOURCES BUDGET (Barcia) Executive budget for the Department of Natural Resources for fiscal year 2005.
SB 1048	2005 SCHOOL AID BUDGET (Switalski) Executive budget for school aid for fiscal year 2005.
SB 1049	2005 STATE POLICE BUDGET (Clarke) Executive budget for the Department of State Police for fiscal year 2005.
SB 1050	2005 TRANSPORTATION BUDGET (Barcia) Executive budget for the Department of Transportation for fiscal year 2005.
SB 1051	ESTATES AND INDIVIDUALS CODE (Cropsey) Provides general amendments to the estates and protected individuals code.
SR 221	SOCIAL WORKER WEEK (Leland) Recognizes the week of March 7-13, 2004, as School Social Worker Week and honors the Michigan Association of School Social Workers.
SB 1073	SCHOOL ADMIN. EDUCATION (Kuipers) Clarifies requirement for school administrator continuing education as occurring each 5-year period following initial employment.
SB 1074	MEMORIAL HWY. ACT (George) Strikes section in Memorial Highway Act naming US-131 as the Mackinac Trail.
SB 1075	SUPERVISOR PHYSICIAN DUTIES (George) Clarifies duties of a physician who supervises a physician's assistant.
SB 1076	MENTAL HEALTH BOARD MEMBERSHIP (Hammerstrom) Revises board membership on mental health services board in Detroit.
SB 1077	MENTAL HEALTH BOARD MEMBERSHIP (Hammerstrom) Clarifies board membership on community mental health services board in Detroit.
SB 1078	MENTAL HEALTH BOARD MEMBERSHIP (Johnson) Revises terms of office for individually-appointed community mental health service board members.
SB 1079	MENTAL HEALTH BOARD STATUS (Johnson) Revises voluntary status as community mental health authority in certain circumstances.
SB 1080	MENTAL HEALTH SANCTIONS (Hammerstrom) A allows immediate community mental health sanctions before complying with the notice and opportunity for a hearing requirements in certain circumstances.

SB 1081	RIDESHARING PROGRAMS (Johnson) Revises highway ridesharing programs to contract with private organizations.
SB 1082	STATE VEHICLE ASSIGNMENTS (Johnson) Revises assignment of state motor vehicle restrictions to exclude an unclassified employee who is the director of a principal department or agency.
SB 1083	STATE EXPENSE REIMBURSEMENT (Johnson) Excludes state employees who do not provide receipts or other written documentation of the expense from location for meetings of state agencies and expense reimbursement.
SB 1084	AQUACULTURE COMMERCE (VanWoerkom) Clarifies inapplicability of Natural Resources and Environmental Protection Act to the taking, production, purchase, acquisition, possession, export or import of aquaculture species.
SR 222	VOTER REGISTRATION WEEK (Hammerstrom) Names week of March 6-12, 2004 as National Voter Registration Week.

Committee Hearings

Committee meeting topics and times are subject to change.

HOUSE

House Committee	Appropriations: Transportation
Clerk Phone Number	517-373-8080
Location	House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date	Tuesday, 3/9/2004
Time	8:00 AM
Agenda	FY 2004-05 Transportation Budget 1. House Fiscal Agency 2. Public Testimony
Chair	Representative Scott Shackleton
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House Committee	Agriculture and Resource Management: Forestry and Mineral Rights
Clerk Phone Number	517-373-8538
Location	519 House Office Building, Lansing, MI
Date	Tuesday, 3/9/2004 Cancelled
Time	9:00 AM Cancelled
Agenda	HB 5324 (Casperson) Natural resources; mining; underground mining; define for purposes of mining reclamation.
Chair	Representative Tom Casperson
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House Committee	Judiciary
Clerk Phone Number	517-373-7256
Location	308 House Office Building, Lansing, MI
Date	Tuesday, 3/9/2004
Time	9:00 AM
Agenda	SB 727 (Sanborn) Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parents actions and decisions. SB 788 (Hardiman) Courts; judges; number of judgeships in the seventeenth judicial circuit; increase. *PENDING REFERRAL * SB 829 (Sanborn) Courts; circuit court; sixteenth judicial circuit; allow additional judgeship.
Chair	Representative Jim Howell
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House Committee	Local Government and Urban Policy

Clerk Phone Number 517-373-2013
Location 307 House Office Building, Lansing, MI
Date Tuesday, 3/9/2004
Time 9:00 AM
Agenda [HB 5550](#) (Brown) History and arts; use of optical imaging; allow.
Chair Representative Chris Ward

House Committee Agriculture and Resource Management
Clerk Phone Number 517-373-8538
Location 327 House Office Building, Lansing, MI
Date Tuesday, 3/9/2004
Time 10:30 AM
Agenda [HB 5552](#) (Palsrok) Natural resources; forests; forest finance authority; change membership of board and specialty uses of the forest development fund.
[HB 5553](#) (Brown) Natural resources; forests; forest pilot project areas; provide for.
[HB 5554](#) (Casperon) Natural resources; forests; forestry on state lands; provide for.
Chair Representative Tom Meyer

House Committee Health Policy: Access, Joint Meeting with House Health Policy: Cost
Clerk Phone Number 517-373-5795
Location 521 House Office Building, Lansing, MI
Date Tuesday, 3/9/2004
Time 10:30 AM
Agenda Presentation on Administrative Health Care Costs by:
Betty Chu, MD, Clinton Womens Health Care
Cindy Bowdewes, Michigan Medical Group Management Association
Denise Peplinski, Traverse Anesthesia, PC
Peter Thoms, Genesee County Medical Society
[HR 169](#) (Vander Veen) A resolution to memorialize the Congress of the United States and the Food and Drug Administration to address the issue of the legality of imported drugs from Canada to ensure stability in the prescription drug component of health care and to protect the health of our citizens.
Chair Representative Barb Vander Veen

House Committee Appropriations: General Government
Clerk Phone Number 517-373-8080
Location 308 House Office Building, Lansing, MI
Date Tuesday, 3/9/2004
Time 11:00 AM
Agenda FY 2005 Budget
Decision-Making
-Attorney General
-State
-Outstanding Issues
Chair Representative Shelley Taub

House Committee Appropriations: Economic Development
Clerk Phone Number 517-373-8080
Location House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date Tuesday, 3/9/2004
Time 11:00 AM
Agenda FY 2004-05 Budget
-Michigan Strategic Fund/Michigan Economic Development Corporation Overview
-Public Testimony
Chair Representative Marc Shulman

House Committee Appropriations: State Police and Military and Veterans Affairs

Clerk Phone Number 517-373-8080
Location House Appropriations Committee Room, 3rd Floor, State Capitol Building
Date Tuesday, 3/9/2004
Time 2:00 PM or after committees are given leave by the House to meet, whichever time is later.
Agenda FY 2004-05 Military and Veterans Affairs budget
-Public testimony
-Review decision document
Chair Representative Sandra Caul

House Committee Education
Clerk Phone Number 517-373-8538
Location 307 House Office Building, Lansing, MI
Date Tuesday, 3/9/2004
Time 2:00 PM or after committees are given leave by the House to meet, whichever time is later.
Agenda [HB 5121](#) (Hunter) Education; school districts; public school law enforcement officers; allow.
Chair Representative Brian Palmer

House Committee Energy and Technology
Clerk Phone Number 517-373-8538
Location 519 House Office Building, Lansing, MI
Date Wednesday, 3/10/2004
Time 9:00 AM
Agenda For a vote by the Committee:
[HB 4187](#) (Anderson) Communications; telecommunications; notification of long-distance charges to customer using a pay telephone; require.

For testimony only:
[SB 612](#) (Toy) Public utilities; consumer services; waiver from requirements of the code of conduct for utility appliance service programs; provide for.
Chair Representative Ken Bradstreet

House Committee Tax Policy
Clerk Phone Number 517-373-0070
Location 326 House Office Building, Lansing, MI
Date Wednesday, 3/10/2004
Time 9:00 AM
Agenda [HB 5323](#) (Wenke) Single business tax; credit; professional employer organizations that are not captive providers; disallow credit.

Testimony from Doug Drake of the State Policy Center at Wayne State University on the background of the streamline sales tax proposal.
Chair Representative Lorence Wenke

House Committee Appropriations: History, Arts, and Libraries
Clerk Phone Number 517-373-8080
Location 308 House Office Building, Lansing, MI
Date Wednesday, 3/10/2004
Time 11:00 AM
Agenda FY 2004-05 Budget
-Department Overview
-Public Testimony
Chair Representative Fran Amos

House Committee Appropriations: Agriculture
Clerk Phone Number 517-373-8080
Location 424 State Capitol Building
Date Thursday, 3/11/2004
Time 8:00 AM
Agenda Department Overview:

[HB 5605](#) (Phillips) Appropriations; agriculture; department of agriculture; provide for fiscal year 2004-2005.

Chair Representative Mike Pumford

House Committee Higher Education

Clerk Phone Number 517-373-5795

Location 326 House Office Building, Lansing, MI

Date Thursday, 3/11/2004

Time 9:00 AM

Agenda [SB 625](#) (Cassis) Higher education; tuition; part-time independent student grants; revise to allow students in theology or divinity programs to receive grant money.

[SB 626](#) (Van Woerkom) Higher education; tuition; state competitive scholarships; revise to allow students in theology, divinity, or religious programs to receive scholarship money.

[SB 627](#) (Allen) Higher education; tuition; legislative merit award program; revise to allow students in theology, divinity, or religious programs to receive scholarship money.

[SB 628](#) (Clark-Coleman) Higher education; tuition; Michigan educational opportunity grant program; revise to allow students in theology, divinity, or religious programs to receive grant money.

[HB 5455](#) (Kooiman) Higher education; tuition; tuition grants; revise to allow students in theology, divinity, or religious programs to receive grant money.

[SB 661](#) (Allen) Higher education; tuition; tuition differential grants; revise to allow students in theology, divinity, or religious programs to receive tuition grant.

[SB 662](#) (Allen) Higher education; financial aid; payments to approved independent nonprofit institutions of higher education; allow payment for theology, divinity, or religious programs and degrees.

Chair Representative Joanne Voorhees

House Committee Senior Health, Security and Retirement

Clerk Phone Number 517-373-5632

Location 327 House Office Building, Lansing, MI

Date Thursday, 3/11/2004

Time 9:00 AM

Agenda Vote only:

[SB 635](#) (Hammerstrom) Health facilities; homes for the aged; waiver of age limitations for residency in a home for the aged; provide for under certain circumstances.

Presentation by Sharon Gire, Director, Office of Services to the Aging

Chair Representative Gary Woronchak

House Committee Transportation

Clerk Phone Number 517-373-8538

Location 307 House Office Building, Lansing, MI

Date Thursday, 3/11/2004

Time 9:00 AM

Agenda Presentation by Gloria Jeff, Director, Michigan Department of Transportation (MDOT) regarding Transportation Funding.

[HR 198](#) (Palmer) A resolution to memorialize the Congress of the United States to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs.

[HB 5491](#) (Wenke) Highways; name; underground railroad memorial highway; create.

Chair Representative Gene DeRossett

House Committee Education
Clerk Phone Number 517-373-8538
Location 307 House Office Building, Lansing, MI
Date Thursday, 3/11/2004
Time 12:00 PM or after committees are given leave by the House to meet, whichever time is later.
Agenda [HB 4338](#) (Ruth Johnson) Education; intermediate school districts; election of board members; require.

[HB 4935](#) (Ruth Johnson) Education; intermediate school districts; intermediate school electors to vote for removal of intermediate board and appointment of reform board for intermediate school district; allow under certain circumstances.

[HB 4947](#) (Gleason) Education; board members; public disclosure of school boards voting preferences for intermediate school board members; require.

[HB 5376](#) (Caswell) Education; financing; requirement for posting bid information; revise.

[HB 5458](#) (Woodward) Education; intermediate school districts; constituent school districts to approve intermediate school district budgets; require.

[HB 5530](#) (Stahl) Education; special; special education parent advisory committee; provide for.

Chair Representative Brian Palmer

SENATE

Senate Committee Appropriations: Natural Resources
Clerk Phone Number 373-1725
Location Senate Appropriations Room, 3rd Floor, Capitol Building
Date Tuesday, 3/9/2004
Time 12:00 PM
Agenda Fiscal Year 2004-05 Budget for the Dept. of Natural Resources - Other Issues & Enabling Legislation
Chair Senator Michelle McManus

Senate Committee Judiciary
Clerk Phone Number 373-3760
Location Room 210, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date Tuesday, 3/9/2004
Time 1:00 PM
Agenda [SB 998](#) (Cropsey) Courts; other; drug treatment courts; establish.

[SB 999](#) (Sanborn) Controlled substances; penalties; eligibility for probation and dismissal of charges; restrict for drug treatment court participants.

[SB 1000](#) (Patterson) Criminal procedure; youthful trainees; eligibility for youthful trainee program; coordinate with drug treatment courts.

[SB 990](#) (Bishop) Civil procedure; statute of limitations; provision regarding tolling of statute of limitations; revise to include that a copy of the summons and complaint be served upon the defendant within the time set forth in the court rules.

[SB 783](#) (McManus) Crimes; other; antihazing act; establish.

[SB 784](#) (Cassis) Criminal procedure; sentencing guidelines; sentencing guidelines for hazing crimes; enact.

[HB 5104](#) (Van Regenmorter) Crimes; homicide; penalties for certain vulnerable adult abuse; include as felony murder.

Chair Senator Alan L Cropsey

Senate Committee Transportation
Clerk Phone Number 373-7708
Location Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date Tuesday, 3/9/2004
Time 1:00 PM
Agenda [HB 4707](#) (Voorhees) Traffic control; parking; individuals authorized to issue citations to violators who illegally park in a handicapped parking space; expand.

[SB 1074](#) (George) Highways; name; memorial highway act; amend section naming US-131.

Chair Senator Judson Gilbert

Senate Committee Appropriations: Judiciary & Corrections
Clerk Phone Number 373-3760
Location Senate Hearing Room, Ground Floor, Boji Tower
Date Tuesday, 3/9/2004
Time 3:00 PM
Agenda Decisions on the FY 2004-05 Budget Recommendation for the Department of Corrections
Chair Senator Alan L Cropsey

Senate Committee Commerce & Labor
Clerk Phone Number 373-2413
Location Room 100, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date Tuesday, 3/9/2004
Time 3:00 PM
Agenda [SB 1032](#) (Garcia) Higher education; generally; certain investment information provided to state institutions of higher education; exempt from disclosure.

[HB 5445](#) (Huizenga) Single business tax; credit; references to Michigan economic growth authority act; modify.
Chair Senator Jason Allen

Senate Committee Natural Resources & Environmental Affairs
Clerk Phone Number 373-1854
Location Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date Tuesday, 3/9/2004
Time 3:00 PM
Agenda [HB 5194](#) (Sheltrown) Natural resources; other; election for the directors of the conservation district; allow for by mail-in absentee ballot.

[SB 977](#) (Gilbert) Environmental protection; water pollution; water pollution reporting protocol; establish in part 31.

[SR 214](#) (Gilbert) A resolution to urge the Michigan Department of Environmental Quality and the Office of the Great Lakes to work with the EPA Great Lakes National Program Office to develop a pilot project to provide real-time monitoring of water quality for Lake St. Clair and the St. Clair River.
Chair Senator Patricia L Birkholz

Senate Committee Appropriations: Community Colleges
Clerk Phone Number 373-6960
Location Senate Appropriations Committee Room, 3rd Floor, Capitol Building
Date ~~Tuesday, 3/9/2004~~ **Cancelled**
Time ~~1:00 P.M.~~ **Cancelled**
Agenda Decisions
Chair Senator Ron Jelinek

Senate Committee	Finance
Clerk Phone Number	373-1758
Location	Room 110, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date	Wednesday, 3/10/2004
Time	1:00 PM
Agenda	Penalties and interest in the General Property Tax Act.
Chair	Senator Nancy Cassis
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Senate Committee	Health Policy
Clerk Phone Number	373-3543
Location	Senate Hearing Room, Ground Floor, Boji Tower, 124 W. Allegan Street, Lansing, MI 48933
Date	Wednesday, 3/10/2004
Time	1:00 PM
Agenda	<p>SB 591 (Hammerstrom) Mental health; code; entities to hold a medicaid specialty services contract; clarify.</p> <p>SB 1076 (Hammerstrom) Mental health; community mental health; board membership on certain community mental health services board; revise.</p> <p>SB 1077 (Hammerstrom) Mental health; community mental health; board membership on certain community mental health services board; clarify.</p> <p>SB 1078 (Johnson) Mental health; community mental health; terms of office for certain community mental health service board members; revise.</p> <p>SB 1079 (Johnson) Mental health; community mental health; voluntary status as community mental health authority; revise in certain instances.</p> <p>SB 1080 (Hammerstrom) Mental health; community mental health; immediate sanctions in certain cases; allow.</p>
Chair	Senator Beverly S Hammerstrom
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Senate Committee	Appropriations
Clerk Phone Number	373-2523
Location	Senate Appropriations Room, 3rd Floor, Capitol Building, 100 S. Capitol Avenue, Lansing, MI 48933
Date	Wednesday, 3/10/2004
Time	2:00 PM
Agenda	<p>SB 847 (Switalski) Property; conveyances; certain state owned land in Macomb county; convey subject to certain restrictions.</p> <p>HB 5386 (Bisbee) Property; conveyances; certain state owned property in Jackson county; provide for transfer between state departments.</p> <p>HB 4308 (Garfield) Traffic control; violations; waiver on no proof of insurance violations; provide for.</p>
Chair	Senator Shirley Johnson
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Senate Committee	Appropriations: Commerce, Labor & Economic Development
Clerk Phone Number	3732420
Location	Room 110 Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date	Wednesday, 3/10/2004
Time	3:00 PM
Agenda	Delays in the Unemployment Claims System Public Testimony
Chair	Senator Valde Garcia
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Senate Committee	Technology & Energy

Clerk Phone Number 373-7350
Location Room 210, Farnum Building, 125 W. Allegan Street, Lansing, MI 48933
Date Wednesday, 3/10/2004
Time 3:00 PM
Agenda Continued Discussions on Public Act 141 of 2000 (Electric Restructuring)
Chair Senator Bruce Patterson

Senate Committee Appropriations: Environmental Quality
Clerk Phone Number 373-1725
Location Senate Appropriations Room, 3rd Floor, Capitol Building
Date Wednesday, 3/10/2004
Time 12:00 p.m.
Agenda FY 2004-05 Budget for the Department of Environmental Quality
1. Environmental Cleanup Projects
2. State Revolving Fund
Chair Senator Michelle McManus

Senate Committee Appropriations: K-12, School Aid, Education
Clerk Phone Number 373-6960
Location Senate Appropriations Room, 3rd Floor, Capitol Building, 100 S. Capitol Avenue, Lansing, MI 48933
Date Wednesday, 3/10/2004
Time 3:00 PM.
Agenda Presentation from the Department of Education on the FY 2004-05 Governor's Recommended Budget
Chair Senator Ron Jelinek